

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.253 OF 2007

IN

CRI.APPEAL NO. 216 OF 2007

Bhanu Kanu Raut ..Applicant

Vs.

State of Maharashtra ..Respondents

Mr.Rajagopal Sellamuthu counsel for applicant
Mr.S.R.Shinde, A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : MARCH 5, 2007

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant has been convicted under Section 363 of IPC and sentenced to three years for committing rape on the prosecutrix who was 15 years of age at the time of incident. The evidence shows that there was love affair between the prosecutrix and the applicant, on account of which, she ran away from home and she stayed with the applicant at various places for a number of months. The applicant is now seeking bail.

3. Mr.Rajagopal Sellamuthu, the learned advocate appearing for the applicant states that the applicant was on bail throughout the trial and he has not misused the liberty granted to him. This statement is not controverted by the prosecution. Mr. Rajagopal Sellamuthu further submitted that sentence imposed on the applicant is only three years and the appeal is not likely to be heard within that time. Hence, the applicant may be released on bail.

4. Looking to the evidence on record and the above position, I am inclined to release the applicant on bail.

5. The applicant to be released on bail in the sum of Rs.10,000/- (Rs.Ten Thousand only) with one or two sureties to make up the said amount. The applicant shall report to M.R.A.Marg, Police Station, once in a month till the disposal of this appeal.

6. Application is disposed of.

[V.K.Tahilramani, J.]